GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Dept. - Sri G.V.B.Rama Rao, former Dy.Executive Engineer PRI SD, Yelamanchili, Visakhapatnam, now retired – Allegations of irregularities in execution of work i.e. "construction of CC pavements in Devarapalli and K.Kotapadu Mandals of Visakhapatnam district under MGNREGS & 14th Finance Commission – Charges framed – Written Statement of Defence submitted - Filed WP - Charges framed against Charged Officer and appointment of Inquiry Authority were set aside by the Hon'ble High Court – Appeal filed was dismissed - Further action dropped – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 452 Dated: 06-06-2025

Read the following:-

1. Vigilance Report.No.03/V&E/Engg/MGNREGS/2020, dt.06.02.2020 of Director General, V&E, AP, Vijayawada.
2. G.O.Ms.No.635, PR&RD (Vig.I) Dept., dt.12.06.2020.
3. G.O.Rt.No.336, PR&RD (Vig.I) Dept., dt.12.06.2020.
4. Written Statement of Defence, dt.13.05.2021 of Sri G.V.B.Rama Rao, former Dy.Executive Engineer, PRI SD, Yelamanchili, Visakhapatnam, now retired.
5. G.O.Rt.No.14, PR&RD (Vig.I) Dept., dt.12.01.2020.
6. Orders, dated 28.06.2023 of Hon’ble High Court in W.P.No.8657 of 2022 filed by Sri G.V.B. Rama Rao, EE (PR) (Retired).
7. W.A.No.144/2024 filed by the Govt. against the Single Judge orders, dated 28.06.2023 in W.P.No.8657/2022.
8. Lr.No.PR/109/APLC/JA(MS)/2025, dt.07.02.2025 of Special Officer (I/c.), O/o.Special Office for Advocates on Record, Supreme Court of India together with orders, dt.09.12.2024 of Hon’ble Supreme Court of India in Special Leave Petition (CIVIL) Diary No(s).49801/ 2024 filed on the above W.A.No.144/2024, dt.10.7.2024.

ORDER:-

In the reference 3rd read above, based on the recommendations of the Director General, V&E, Government have framed the following Articles of Charge against certain officers including Sri G.V.B.Rama Rao, former Dy.Executive Engineer PRI SD, Yelamanchili, Visakhapatnam, now retired, for the irregularities in the works executed in Visakhapatnam, YSR Kadapa and East Godavari Districts under MGNREGS & 14th Finance Commission. In respect of Sri G.V.B.Rama Rao, former D.E.E., the following charge was framed in terms of Rule 9(2)(b) of A.P. Revised Pension Rules, 1980 read with Circular Memo No.993083/FIN01- HRCLI/9/2019-HR-III, dt.15.03.2020 of Finance Department.

Charge:-

That Sri G.V.B.Rama Rao, former Dy.Executive Engineer, PRI SD, Yelamanchili, Visakhapatnam, now retired as E.E., PRI Division, Palakonda Srikakulam district, has executed the work i.e. "construction of CC pavements in Devarapalli and K.Kotapadu Mandals of Visakhapatnam district" under MGNREGS & 14th Finance Commission was executed without quality, thereby misusing the Govt. funds and

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also executed the work by engaging non-local labour, which is against the guidelines of MGNREGS resulting in loss caused to the Govt. exchequer to a tune of Rs.6,07,454/-.

By his above mentioned acts, Sri G.V.B.Rama Rao, former Dy.Executive Engineer PRI SD, Yelamanchili, Visakhapatnam, now retired as E.E PRI Division, Palakonda Srikakulam district, failed to discharge his duties, exhibited lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government servant and thereby contravened Rules 3(1) and 3(2) of APCS (Conduct) Rules, 1964.

2. In the reference 4th read above, Charged Officer has submitted his WSD duly denying the charge. After examining the Written Statement of Defence of charged officer, Government have appointed Sri K.Venkata Rami Reddy, Member, C.O.I., G.A.(COI) Dept. as Inquiring Authority and Smt.K.Swarnaseshu, Advocate as Presenting Officer to inquire into the charges framed against the above Charged Officer and 14 others vide reference 5th read above.

3. In the meanwhile Sri G.V.B.Rama Rao, the then Dy.Executive Engineer, has filed W.P. before the Hon'ble High Court. In the reference 6th read above, the Hon’ble High Court has pronounced the judgment in W.P.No.8657 of 2022 "setting aside the charges issued by the Government in G.O.Rt.No.336, dt.12.06.2020 and orders appointing Inquiring Authority in G.O.Rt.No.14, dt.12.01.2020 by directing the respondents to release full pension and other benefits to the petitioner forthwith".

4. In view of the orders of the Hon'ble High Court, the disciplinary proceedings have been continued against the remaining (14) COs except above petitioner (CO-14).

5. The Government have examined the matter in consultation with the advisory departments and filed Writ Appeal before Hon’ble High Court of AP, wherein the Hon’ble Division Bench has ordered vide reference 7th read above, that the order of the learned Single Judge though affirmed on different grounds and does not warrant any interference.

6. Further, the Government, in consultation with advisory departments, filed Special Leave Petition (CIVIL) Diary No(s).49801/2024 against the orders in W.A.No.144/2024, dt.10.7.2024 before the Hon'ble Supreme Court of India. In the reference 8th read above, the Hon’ble Supreme Court of India in it's Judgement, dt.9.12.2024 observed that "we see absolutely no reason to interfere with the order/judgment of the High Court, in exercise of our jurisdiction under Article 136 of the Constitution of India. However, the question of law is kept open". Accordingly, the Special Leave Petition was dismissed.

7. The Government have examined the matter in consultation with the advisory departments and have decided to drop further action against Sri G.V.B.Rama Rao, former Dy.Executive Engineer PRI SD, Yelamanchili, Visakhapatnam, now retired, keeping in view of the orders of the Hon’ble High Court in W.P.No.8657 of 2022 and orders of the Hon'ble Supreme Court of India in Special Leave Petition (CIVIL) Diary No(s).49801/2024. Accordingly, the Government hereby order to drop further action against Sri G.V.B.Rama Rao, former Dy.Executive Engineer PRI SD, Yelamanchili, Visakhapatnam, now retired, in the present case to avoid further legal complication in the matter.

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8. The Engineer-in-Chief, PR, AP, Vijayawada shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.V.B.Rama Rao, former Dy.Executive Engineer, PRI SD, Yelamanchili, Visakhapatnam, now retired, through the Engineer-in-Chief , PR, AP, Vijayawada.
The Engineer-in-Chief, PR, AP, Vijayawada
Copy to :
The Director General, V&E, AP, Vijayawada.
The OSD to Hon'ble Dy.CM for PR&RD, RWS&S, EFS&T.
The PS to the Principal Secretary to Govt., PR&RD Dept.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER